

**City of Taylorsville**  
**CITY COUNCIL MEETING**  
*Minutes*

**Wednesday, November 16, 2016**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84129**

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**BRIEFING SESSION**

**Attendance:**

Mayor Lawrence Johnson

**Council Members:**

Council Chairman Ernest Burgess  
Vice-Chairman Brad Christopherson  
Council Member Daniel Armstrong  
Council Member Dama Barbour  
Council Member Kristie Overson

**City Staff:**

John Taylor, City Administrator  
Tracy Cowdell, City Attorney  
Cheryl Peacock Cottle, City Recorder  
Tracy Wyant, UPD Precinct Chief  
Mark McGrath, Community Development Director  
Jay Ziolkowski, UFA Battalion Chief  
Kristy Heineman, Council Coordinator  
Tiffany Janzen, Public Information Officer  
Scott Harrington, Chief Financial Officer

Others: Dan Fazzini, Dave Ballou, Russ Wall, Gordon Willardson, Jackie Willardson

**6:00 BRIEFING SESSION**

**1. Roll Call of Council Members**

6:08:50 PM Chairman Ernest Burgess conducted the Briefing Session, which convened at 6:08 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

**2. Review Agenda**

6:09:13 PM The agenda for the City Council Meeting was reviewed. Needed adjustments to the agenda for the regular meeting were noted.

### 3. Adjourn

Chairman Burgess declared the Briefing Session adjourned at 6:14 p.m.

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## REGULAR MEETING

### Attendance:

Mayor Lawrence Johnson

### Council Members:

Council Chairman Ernest Burgess  
Vice-Chairman Brad Christopherson  
Council Member Daniel Armstrong  
Council Member Dama Barbour  
Council Member Kristie Overson

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Scott Harrington, Chief Financial Officer  
Jay Ziolkowski, UFA Battalion Chief  
Kristy Heineman, Council Coordinator  
Tiffany Janzen, Public Information Officer  
Michael Kwan, Judge  
Jim Spung, Associate Planner

**Others:** Dan Fazzini, Dave Ballou, Russ Wall, Lee Bennion, Mike Roach, Isaac Carpenter, Ken Donarski, Lisa Schwartz, Gordon Wolf, Janice Auger Rasmussen, Ken Rasmussen, Gordon Willardson, Jackie Willardson, Royce Larsen, Jess Gomez, Brandy Stephens, John Gidney, Howard Wilson, Jerry Milne, Glenn Gardner, Sandy Jorgensen, Valerie Colby, Larry Taylor, Jess Gomez, Barbara Stallone, Butch Lodder, Ross Ketcham, Joan Thalmann, Shannon Howell

## 1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

[6:30:04 PM](#) Chairman Ernest Burgess called the meeting to order at 6:30 p.m. and welcomed those in attendance.

### 1.1 Roll Call of Council Members

City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

**1.2 Opening Ceremonies – Pledge/Reverence – Council Member Overson  
(Opening Ceremonies for December 14, 2016 to be arranged by Council  
Member Burgess)**

[6:31:01 PM](#) Council Member Kristie Overson directed the Pledge of Allegiance.

[6:31:18 PM](#) Council Member Kristie Overson offered the Reverence by sharing a Thanksgiving Proclamation written by President Abraham Lincoln.

**1.3 Mayor's Report**

There was no Mayor's Report.

It was clarified that Agenda Item 7.2 will be moved forward and addressed immediately following Citizen Comments.

**1.4 Citizen Comments**

[6:32:36 PM](#) Chairman Ernest Burgess reviewed the Citizen Comment Procedures for the audience. He then called for any citizen comments.

[6:36:36 PM](#) Former Taylorville Mayor Russ Wall spoke on Item 7.2 regarding Reconsideration of Ordinance No. 16-13. He addressed three points (1, 2 and 6) as listed in the Mayor's Veto Statement. He indicated that Taylorville has not previously been hampered by State legislation and said he hopes things are being done in the best interest of the City. He cited the City's responsibility to be as transparent as possible. He observed that the ordinance calls for transparency and accountability from elected officials. Mr. Wall stated that, as one of 17 cities in Salt Lake County, it is commendable that Taylorville is striving to improve the potential for transparency. He said he encourages the Council to vote to override the Mayor's veto of the ordinance. Mr. Wall expressed disappointment that Council Chair Ernest Burgess did not respond to his email asking for an explanation as to why he voted against the ordinance. He noted that he is curious why Council Members Burgess and Armstrong voted against an ordinance that increased transparency.

[6:39:25 PM](#) Former Taylorville Mayor Janice Auger Rasmussen requested that she be allowed to speak for five minutes, inasmuch as she represents a group of citizens and residents who are present. She paid tribute to Taylorville City's CDBG Consultant Kathy Ricci. She then discussed proposed Ordinance No. 16-13 and expressed her support of such. She addressed the Mayor's Veto Statement and reasons she disagrees with his position. She stressed the need for transparency in regard to campaign finance reporting. (A copy of Janice Auger Rasmussen's

complete public statement is attached to these minutes, as submitted, and hereby incorporated within as part of this record).

6:45:25 PM Gordon Willardson said he has a differing view on the issues surrounding campaign finance. He observed that rules have been in place since day one and questioned why they should be changed now. He commented on possible motives three of the Council Members may have for proposing an ordinance to change campaign finance reporting requirements. Mr. Willardson noted that the Mayor has agreed to provide campaign information in the summer. He suggested that requiring campaign finance information now will provide an advantage to other individuals wishing to run for Mayor. He questioned why Council Members do not seem to respect the Office of Mayor. He suggested that the City Council should do something more constructive, such as examining house rentals and businesses within neighborhoods. Mr. Willardson indicated that he has asked other citizens for their input on the City and been told that they are tired of their paychecks being robbed. He commented on the cost for planting grass in front of City Hall and suggested that decision was totally irresponsible.

6:49:14 PM Jess Gomez said she totally disagrees with Mr. Willardson. She indicated that she runs a small business. She stated that she must be 100% transparent with everyone and everything must be documented. She displayed a copy of a current newspaper and said she does not want to wake up to a news article about her City's lack of transparency. She noted that she would love to read instead that Taylorsville is the first city to become transparent. Ms. Gomez commented in favor of transparency and stated that she does not understand the big deal. She questioned why two Council Members voted against the proposed ordinance.

6:50:07 PM Lisa Schwartz commented in favor of proposed Ordinance No. 16-13 regarding transparency in campaign finance reporting. She said it is the right thing to do and the City should adopt the ordinance. She said transparency is a way to keep the City honest and implement a character check. She noted that the requirements would apply to all elected officials. She indicated that if it is the right thing to do, timing has no bearing; it should not matter if it is done now or later, but it should take place. Ms. Schwartz observed that nothing but good would come from approving the ordinance. She expressed that she takes personal offense by what was said by a prior gentleman. She noted that she has worked with many City officials, staff members, and residents and found all to be honorable individuals who are seeking to serve Taylorsville. She added that the proposed ordinance will ensure that everything is out on the table and all are on a level playing field.

6:52:18 PM Glenn Gardner stated his appreciation for the City Council, employees, and others for their service and work on behalf of Taylorsville. He expressed gratitude for the right to state an opinion in the community and in America. He said that he believes the timing of reporting is important and suggested that if it is not broke, it does not need to be fixed. He observed that there seems to be a hidden agenda or vendetta against the Mayor. He said that 15 of 17 Salt Lake

County cities have chosen not to change reporting requirements and this seems to be much ado about nothing. Mr. Gardner observed that everything will be made transparent in the end and the real motivation behind the ordinance may not be transparent. He said he thinks this is not a big problem, the ordinance is not needed, and he supports the Mayor.

6:54:27 PM Dan Fazzini addressed campaign finance requirements. He observed that many times things are not a problem until they become a problem. He noted that when he considered running for Mayor in the past, he was surprised to learn of limited reporting requirements within the City. He observed that transparency is important and reporting requirements are more stringent within other business entities. He noted that the amount of campaign monies raised by candidates in Taylorsville may be minimal, but as one of the larger cities in Salt Lake County, transparency will be even more important moving forward. Mr. Fazzini said it is irritating to see candidates receiving money from jurisdictions outside of those they serve. He also commented on the Vote by Mail issue and the way it may affect businesses. He suggested being in front of the problem.

6:57:45 PM Glen Gardner made an additional comment regarding others who commented online (through KSL) against the proposed ordinance and supported Mayor Johnson's veto. He said not all are in favor as was previously purported.

6:58:33 PM There were no additional citizen comments, and Chairman Burgess closed the citizen comment period.

**7.2     Reconsideration of Ordinance No. 16-13 – An Ordinance of the City of Taylorsville Amending Taylorsville Code of Ordinances Section 2.36.040: Campaign Finance Statements – Tracy Cowdell**

6:58:52 PM Mayor Johnson read a statement regarding Ordinance No. 16-13 and his reasons for vetoing such. (A copy of Mayor Lawrence Johnson's complete public statement is attached to these minutes, as submitted, and hereby incorporated within as part of this record).

7:03:18 PM Council Member Dama Barbour said she is trying hard not to feel as if she is being bullied. She explained that she put a Facebook post out on her personal page and the Mayor put a public official statement on her personal Facebook page under an employee's personal account. She stated her belief that this was absolutely inappropriate. She clarified that she removed that statement, but two hours later it appeared again. Council Member Barbour relayed that she then removed the statement again and sent a private message to the employee. She noted that the employee involved is wonderful and does what her boss asks her to do. Council Member Barbour said that the next day an official Mayor's statement was again on her own personal page, but this time under his wife's name. She gave her opinion that the official statement should

have been on a Taylorsville page, on the Mayor's own page, or somewhere else more appropriate for posting an official statement.

7:05:37 PM Council Member Barbour indicated that it was stated in the Mayor's official statement that her post "misrepresented." She said she wanted to review her post publicly to ensure that it contained nothing but absolute facts. She read the Facebook post inviting Taylorsville residents to give opinion on whether Taylorsville elected officials should disclose all campaign contributions annually. Council Member Barbour said this question did not contain anything misleading, but only referenced the requirement proposed in the ordinance. She reviewed other facts stated in the post regarding the vote on the ordinance and the Mayor's subsequent veto. She shared the question asked in the post about whether constituents would like her to uphold her original vote for increased transparency in campaign finance reporting. She also noted that she invited citizens to leave a comment on her Facebook page or attend tonight's City Council Meeting to advise the Council on whether transparency should be increased regarding campaign contributions. She reiterated that her personal Facebook post was not a misrepresentation of the facts. Council Member Barbour described feedback received on her Facebook page and said comments were in favor of upholding her original vote for transparency.

7:09:01 PM Council Member Barbour said that her post contained a simple question to which residents responded. She suggested that it was inappropriate for the Mayor to put an official statement on her own personal Facebook page under someone else's name. She indicated that her motivation is not to pick a fight or argue with the Mayor. She clarified that the motivation behind the ordinance had nothing to do with the Mayor when it started and was simply about looking out for residents.

7:10:55 PM Council Member Brad Christopherson referenced a lengthy conversation he held with Mayor Johnson yesterday. He clarified that he reviewed the Mayor's campaign finance statements today and does not think anything illegal has happened. He indicated that this issue is not just about the Mayor's golf tournament or about one person, but is about simple transparency, trust in government, and trust through transparency. He noted that the State legislature has authorized cities to implement stricter reporting requirements, and so the Taylorsville City Council did propose more frequent campaign finance reporting back in October. Council Member Christopherson clarified that under State requirements, public officials or candidates can raise money for 3 ½ years without ever making a disclosure to Taylorsville residents. He observed that an effective transparency ordinance allows residents adequate time to make a judgment. He relayed that currently campaign disclosures are only required to come out seven days before an election and if citizens are voting early or by mail, that is insufficient time for voter review.

7:13:11 PM Council Member Christopherson noted that Council Member Armstrong had suggested a reporting date to coincide with the City's fiscal year, but said he does not understand how that makes any difference. He said the issue is not about Mayor Johnson, but is only about transparency and trust in government. He stated that when this was proposed he was seeking a simple transparency date. He noted that candidates already have to disclose 30 days after an election.

7:12:33 PM Council Member Christopherson said that he disagrees with the Mayor's question of fairness because an incumbent already has an advantage through relationships with developers, etc. He acknowledged that there are developers who have given the Mayor campaign money. He observed that this is not illegal, but does create a question. He relayed that the Mayor currently has an unsigned development agreement and a real estate purchase contract before him for City-owned property. He stated that this developer has given the Mayor \$6,500 in two checks. He clarified that this is not illegal, but the contract referenced has been modified twice and the development agreement and zoning change cannot be approved until one of the properties is closed on. Council Member Christopherson indicated that now this disclosure has been made, and he knows about it, he can weigh what is in the best interest of the City and whether the Mayor's recommendations for approval are related to the contribution received. He explained that he is not calling the Mayor's integrity into question, but it is appropriate for the Council to be aware of all the contributions and the facts in order to make development decisions. He observed that this is just an example of why transparency is an issue. Council Member Christopherson said this is not about Mayor Johnson, but about elected officials that will be in place years down the road.

7:16:12 PM Council Member Christopherson observed that in the three years Mayor Johnson has been in office, there have only been two vetoes or disagreements between the Council and the Mayor. He stated his disagreement with Mr. Willardson over the remarks he made previously. Council Member Christopherson noted that grass was planted at City Hall before he was ever on the Council and he had no involvement in that decision. He reiterated that the proposed ordinance is not about Mayor Johnson, but is about transparency and the opportunity to be held accountable with voters. He noted that, for these reasons, his original vote will not change when the ordinance is reconsidered. He indicated that he is for transparency and accountability for those in public office. He observed that public interest trumps any perceived unfairness that may arise from wanting to run against another individual. He noted that Americans have the right to run for office, so he does not believe the Mayor's position on unfairness is a valid reason to veto.

7:17:27 PM Tracy Cowdell clarified for the record that this discussion is all part of Agenda Item 7.2.

7:18:04 PM Council Member Dan Armstrong relayed that much of his career has been spent finding loopholes in the tax law to take advantage of it for his clients. He said that many

loopholes in the tax code are associated with dates. He acknowledged that he is all for transparency, but timing is of the essence. He said timing is important to both the incumbent and a challenger in campaign reporting. He suggested that a disclosure date of June 30 or July 1 would be adequate notification on the source of finances. He indicated that if the date can be changed to June 30 or July 1, he is in favor of an annual disclosure.

7:18:54 PM Council Member Armstrong explained that his vote against the ordinance did not have to do with full disclosure, but rather had to do with timing and closing the loophole so that everyone involved discloses at the same time. He observed that as a City, there is a need for cooperation. He observed that there is currently good cooperation and much interest in Taylorsville. Council Member Armstrong indicated that a debt of gratitude is owed to Economic Development Director Wayne Harper, the Mayor, and City employees who have helped the City become great. He suggested that, although Council Members do not always see eye to eye, they can disagree and still be friends. He noted that each elected official comes from a different background and naturally see things differently. He acknowledged that decisions made usually work for the best of Taylorsville.

7:22:02 PM Chair Ernest Burgess said he would like to make a clarification and apologized to former Mayor Russ Wall. He said he did not receive Mr. Wall's email or he would have responded. Chair Burgess said that, rather than emailing, he will call Mr. Wall after the Council Meeting or tomorrow.

7:22:22 PM Chair Burgess observed that this debate has never been about transparency and he desires total transparency for citizens, candidates, and those in public office. He indicated that, in his case, this issue is about timing. He referenced a reporting date in June following the candidate filing period. He said this would be fair to all involved. Chair Burgess agreed that everyone should disclose annually. He indicated that if this ordinance does not pass upon reconsideration tonight, he would like to see it come back for the transparency issue and a disclosure date that everyone can agree upon.

7:24:20 PM Chair Burgess relayed that he has also been asked during this process if his records were right or he was hiding anything. He stated that he has not hidden anything and his campaign reports were submitted to the City Recorder. He noted that any money he received for his campaign was appreciated and he tried to use it as wisely as possible.

7:25:09 PM Council Member Kristie Overson said she is ready to move forward on reconsideration of the ordinance. She referenced an email received from City Attorney Tracy Cowdell outlining the three options before the Council in regard to the Mayor's veto, as follows: (1) do nothing; (2) consider another ordinance; or (3) vote to override the veto.

7:25:26 PM Council Member Kristie Overson **MOVED** to override Mayor Johnson's veto and pass, as presented, Ordinance No. 16-13: An Ordinance of the City of Taylorsville Amending Taylorsville Code of Ordinances Section 2.36.040: Campaign Finance Statements." Council Member Brad Christopherson **SECONDED** the motion. Chairman Ernest Burgess called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Overson-yes, Barbour-yes, Armstrong-no, Burgess-no, and Christopherson-yes. **All City Council members voted and the motion failed with a three-to-two vote (a 2/3 majority is required to override a mayoral veto).**

7:26:28 PM Mr. Cowdell clarified that pursuant to City ordinance, following the Mayor's veto, approval of the vetoed ordinance requires a 2/3 majority (or four out of five Council Members in favor) in order to override the veto. He noted that, at this point, Ordinance No. 16-13, is essentially dead. He said that if there is desire to consider a separate ordinance, it is not something that can be modified or voted upon tonight. He observed that there has been some compromise language in the discussion held and direction can be given to bring back a different ordinance that would meet the Council and Mayor's approval. He said, otherwise, it is up to the Council as to how they wish to proceed.

7:27:42 PM Council Member Dan Armstrong proposed bringing the ordinance back with a new annual reporting date in it of June 30.

7:27:53 PM Council Member Christopherson proposed bringing the ordinance back with the addition of the June 30 date, but recommended that both dates be in the ordinance. He said this is a compromise. He also suggested making the effective date July 1 of next year. Council Member Christopherson clarified that he recommends adding the June 30 date to the ordinance, but also keeping the reporting date for 30 days after the November Election, with an effective date of July 1, 2017.

7:29:07 PM Mr. Cowdell recommended bringing back a blank ordinance and having the Council fill in the desired date(s) at the next meeting.

7:29:33 PM Council Member Armstrong referenced the possibility of having two dates for one year only (this year and next July) and then having it move to July 1 every year after that.

7:29:47 PM Council Member Dama Barbour said she can move off of the December date, but definitely wants a reporting date implemented for disclosure before the municipal election filing date in June. She indicated that this will allow people time to look at reports and evaluate information provided. She noted that she is not expecting something to not look right, but if that should be the case, individuals would have time to mount a campaign and file for office themselves. She said this is critical to her. She stressed that her interest is not what is fair for elected officials, but what is fair for the public.

7:30:47 PM Council Member Overson observed that the best option may be having the attorney bring back a blank ordinance for presentation and discussion at the next Council Meeting.

7:30:55 PM Mr. Cowdell stated that he will circulate a draft of a blank ordinance in advance for which dates can be filled in. He confirmed that this will give Council Members time to consider what is best and give direction at the next meeting.

7:32:18 PM Chair Burgess thanked all those who participated in this discussion.

## **2. APPOINTMENTS**

There were no appointments.

## **3. REPORTS**

### **3.1 UPD Precinct Awards – *Chief Tracy Wyant***

7:32:02 PM Unified Police Department Precinct Chief Tracy Wyant noted that he will reschedule his previously planned officer awards presentation for another time due to the length of the previous discussion.

7:35:26 PM Chief Wyant acknowledged the ultimate sacrifice of a member of the law enforcement community, Officer Cody Brotherson. Chief Wyant recognized Officer Brotherson for protecting citizens in the valley.

7:35:51 PM Chief Wyant presented a report on law enforcement services in Taylorsville for the first quarter of the fiscal year. He reviewed overall crime trends and summaries of general offenses. He noted a decrease of 39 offenses from the same quarter of the previous year. He also referenced notable decreases in assaults, damaged property (graffiti and vandalism), escape, larceny, public peace, and sexual offenses. He cited notable increases in forgery, invasion of privacy, runaways, stolen vehicles, and traffic.

7:37:57 PM Chief Wyant made clarifications on traffic accidents and violations. He noted that breakdowns are now given on specific traffic line items. He said that the figures are indicative of an increase in accidents.

7:37:56 PM Chief Wyant listed the following statistics for general offenses per Council District: District 1—overall reduction of 5; District 2—overall increase of 14; District 3—overall decrease of 66; District 4—overall increase of 34; and District 5—overall decrease of 16. He noted that the increases in overall traffic offenses in Districts 4 and 5 are largely due to traffic enforcement efforts.

7:39:18 PM The Chief reviewed statistics for response times, noting that they have remained fairly consistent.

7:40:18 PM Chief Wyant illustrated maps showing traffic accidents/citations, and graphs showing monthly citation comparisons and breakdown of citations. He referenced data on burglaries, burglary alarms and drug cases. He cited a summary of activities within the Investigations Unit. He relayed that this quarter saw a significant amount of seizures and said he is extremely proud of Taylorsville's Street Crimes Unit.

7:42:31 PM Council Member Overson stated her appreciation of law enforcement reports and observed that they are both sobering and enlightening. She asked how the Chief is doing personally. Chief Wyant indicated that he is doing well, although it is a difficult time for law enforcement. He said that the precinct is very well supported by the Taylorsville Community and largely supported by the State. He observed that officers are doing well, but are affected by daily occurrences throughout the nation. He acknowledged that there are implications, but officer are doing their jobs well.

7:44:35 PM Council Member Christopherson stated appreciation for law enforcement and offered any support necessary.

7:44:59 PM Council Member Armstrong stated that prayers are being offered for the safety of officers. He referenced the homeless movement into Taylorsville and asked what can or should be done by residents when approached by homeless individuals.

7:46:42 PM Chief Wyant agreed with Council Member Armstrong's assessment and said every city in the valley, with the exception of Salt Lake City, is seeing an increase in homelessness. He cited the human factor and said that many individuals deal with mental challenges or addiction issues. He indicated that he personally believes there are many other resources for homeless individuals to transition from homelessness, but many people choose to live that lifestyle. The Chief suggested that citizens should not approach homeless individuals, but may call dispatch to refer problems. He cautioned against calling 911 unless it is an emergency.

7:49:28 PM Mayor Johnson expressed great concern for the safety of officers and stated his commitment to increase the number of Taylorsville officers. He cited his appreciation for the Chief's leadership and service and spoke of the high caliber of local officers.

### **3.2 LARP Committee Report and Beautification Awards – Joan Thalmann**

7:50:24 PM LARP Committee Chair Joan Thalmann reported on recent activities of the LARP Committee and upcoming events. She discussed the "Remember Me Rose Garden." She relayed that applications are now available. She listed some needs at the garden and said that the City

will be helping with pruning and planting roses, watering, etc. She indicated that there will be room for 30 roses and the City will maintain them. She anticipated that they will last for about 10 years.

7:52:02 PM Ms. Thalmann described next year's Fall Festival and said a list of activities will be determined and then the event will be published in the newspaper. She indicated that this festival will be a nice supplement to the Taylorsville Dayzz event.

7:52:55 PM Ms. Thalmann presented "Beautification Award Recognitions" to the following residents: (First Place) Khamkeng and Boua Keomounmany; (Second Place) Larry and Cecilia Van Tassell; (Third Place) Larry and Shirley Taylor; (Fourth Place) Delmer and Rosalind Ketcham; and (Fifth Place) Richard and Claudia Monson. Recipients received certificates of appreciation and baskets from Great Harvest.

7:59:45 PM Ms. Thalmann presented Halloween Decorating Awards to: (First Place) Joshua Mellor; (Second Place) Brent Terry; (Third Place) Daniel Browning; and (Fourth Place) Gordon and Ann Black.

8:04:05 PM Chair Burgess thanked the LARP Committee for recognizing residents going the extra mile to beautify the community.

8:04:27 PM Council Member Armstrong thanked Joan Thalmann for all her hard work as LARP Committee Chair. Council Member Armstrong also described the upcoming Fall Festival that will coincide with Halloween and fall decorations. He said that more information on the planned event will be forthcoming. He commended the LARP Committee for being a great committee.

### **3.3 Eisenhower Jr. High/Cemetery Presentation – Lee Bennion/Mike Roach/ Isaac Carpenter**

8:05:08 PM Lee Bennion said that he is excited to report on two projects that occurred this past summer. He recognized students from Eisenhower Jr. High and Eisenhower teacher Mike Roach who conducted a project at the cemetery. He also referenced a project performed by Isaac Carpenter and said he has done a fantastic job.

8:06:16 PM Mr. Roach relayed that he has been a teacher at Eisenhower Jr. High for about 20 years. He cited the involvement of Eisenhower students Brandon Sorenson, Abigail Anderson, Abigail Sterier, and Tatiana Travis on a project at the Taylorsville City Cemetery. A Power Point presentation was rendered regarding a grave recording project. It was noted that the information gathered through the project was entered into a database which can be merged with the City database. He cited the enthusiastic help of Lee Bennion, Eisenhower Principal Mark Ellermeier, and the Salt Lake Monument Company.

8:08:32 PM It was relayed that students have been encouraged to become active participants in their communities and learn about their civic responsibilities. Eisenhower students decided to focus on the Taylorsville City Cemetery. The process for marking and recording graves was discussed. It was also reported that on Veteran's Day, Eisenhower student body officers set up flags along Redwood Road and it is hoped that this can become an annual event and tradition for the school.

8:12:15 PM Isaac Carpenter, a scout from Troop 873 in Cedar Hills, reported on his Eagle Project performed through work at the Taylorville Cemetery. He noted that 14 boys from his troop participated in the project and over 1600 photos of gravestones were taken. He indicated that it took approximately four hours to photograph the gravestones and then the photos were named according to plot number. He explained that the photos will be placed online so that they may be referenced. Mr. Carpenter said that over 175 hours were spent on the project in total. He presented a flash drive with copies of all the pictures to the City. He relayed that he chose this project because of his interest in family history.

8:15:59 PM Council Member Overson thanked Mr. Roach for providing Eisenhower students with a great opportunity to explore Taylorsville history. She commended him for being a great teacher.

#### 4. CONSENT AGENDA

##### 4.1 City Council Minutes – November 2, 2016

8:16:41 PM Council Member Brad Christopherson **MOVED** to adopt the Consent Agenda. Council Member Dan Armstrong **SECONDED** the motion. Chairman Ernest Burgess called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Overson-yes, Barbour-yes, Armstrong-yes, Burgess-yes, and Christopherson-yes. **All City Council members voted in favor and the motion passed unanimously.**

#### 5. PLANNING MATTERS

There were no planning matters.

#### 6. FINANCIAL MATTERS

##### 6.1 Resolution No. 16-28 – Resolution of Appreciation for Kathy Ricci

8:17:48 PM City Attorney Tracy Cowdell read a resolution from the City of Taylorsville honoring CDBG Consultant Kathy Ricci, who recently passed away. The resolution contained a statement of appreciation for Ms. Ricci's work in the community. Council Member Brad

Christopherson suggested planting a rose in Taylorsville's Remember Me Garden in honor of Ms. Ricci. Council Member's agreed that this was a wonderful way of recognizing Ms. Ricci for her contributions to Taylorsville.

8:19:31 PM Council Member Kristie Overson **MOVED** to adopt Resolution No. 16-28 – A Resolution of Appreciation for Kathy Ricci. Council Member Brad Christopherson **SECONDED** the motion. Chairman Ernest Burgess called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Overson-yes, Barbour-yes, Armstrong-yes, Burgess-yes, and Christopherson-yes. **All City Council members voted in favor and the motion passed unanimously.**

8:22:21 PM Ms. Ricci's husband, Kenneth Donarski, paid tribute to his late wife. He relayed that she loved Taylorsville and was the lead on CDBG oversight in the community. He indicated that he was always the support behind the scenes. He commented on his late wife's love of roses and thanked the City for honoring her.

Mr. Donarski explained that the public hearing tonight has been scheduled to hear of needs for Taylorsville's Community Development Block Grant (CDBG) Funds.

## **6.2 Public Hearing – To Receive Public Comment Regarding Needs for the Community Development Block Grant (CDBG) Funds**

8:23:34 PM Chairman Burgess opened the public hearing on this matter and called for comments.

8:23:43 PM Celeste Eggert, of the Road Home, first offered her condolences to Ken Donarski and observed that Kathy Ricci was an amazing person. Ms. Eggert said she respectfully disagrees with previous comments made about Salt Lake City's homeless issue and the numbers reducing. She relayed that the homelessness problem is continually growing. She said that the Road Home has had a 12% increase in shelter needs over the last year. She indicated that providing housing is the solution to ending homelessness, but it is incredibly challenging. Ms. Eggert agreed that some homelessness problems are associated with mental illness, but noted that mentally ill people do well and stabilize once they are in housing. She encouraged Taylorsville to continue to support housing in the City.

8:26:19 PM Barbara Stallone, Development Director of the Family Support Center, cited approximately 6000 individuals served per year, a substantial number of whom are Taylorsville citizens. She referenced a need to improve the Center's infrastructure through the CDBG program. She emphasized the Family Support Center's mission to protect children, strengthen families, and prevent child abuse. She expressed gratitude to Taylorsville for its support.

8:27:57 PM Jason Wheeler, with ASSIST Community Design Center, relayed that he is the new director replacing Roger Borgenicht. He cited design and construction services provided to people throughout the valley. He noted that 40 to 60 home owners in Taylorsville are supported every year. He listed repairs that are done and said they are critical in keeping people from becoming homeless. He described design assistance that is given to elderly people or those with disabilities in order to help them stay in their homes. Mr. Wheeler expressed appreciation for the City's past support. He also paid tribute to Kathy Ricci.

8:29:28 PM There were no additional comments and Chairman Burgess declared the public hearing closed.

## 7. OTHER MATTERS

### 7.1 Introduction of an Interlocal Agreement with Salt Lake County Regarding a Performing Arts Center in Taylorsville – *Mayor Johnson/Tracy Cowdell*

8:29:59 PM Mayor Larry Johnson reported that Salt Lake County has announced plans to construct a new Performing Arts Center on the Taylorsville City Center property. He relayed that this will be a \$40 million facility. He cited support of the City Council and much hard work spent over the last several years to make this happen. The Mayor noted that Taylorsville will be able to cover its share for the facility with cash, so there will be no tax increase or burden for residents. He said that construction should begin in about 18 months. He expressed excitement on behalf of the City over this project.

8:32:12 PM City Attorney Tracy Cowdell presented a Power Point presentation regarding the Performing Arts Center (PAC) planned in Taylorsville and outlined the proposed interlocal agreement with Salt Lake County. He indicated that the City has been in negotiation with Salt Lake County for some time to bring an arts center to the community. He recognized the good work and personal negotiations performed by Mayor Johnson and Economic Development Director Wayne Harper. Mr. Cowdell added that he and City Administrator John Taylor also participated with the negotiating team.

8:32:45 PM Mr. Cowdell pointed out key terms of the contract with Salt Lake County for the PAC. He said that it is anticipated the agreement will be brought with a resolution to the next City Council Meeting for Council approval.

8:33:24 PM Mr. Cowdell indicated that the PAC will be built on the grassy area on the left front side of City Hall, when facing south. He noted that the City will be involved in the actual design process.

8:34:09 PM Mr. Cowdell relayed that the total cost of the project is \$40 million. He stated that the County has bonded for their portion in the amount of \$35,000,000. He said that the City's portion is \$5 million, with \$1.7 million coming from a 50-year ground lease of the property that the facility is built on. \$3,300,000 will be paid to the County in three equal annual installments (due July 15, 2017, July 15, 2018, and July 15, 2019). Mr. Cowdell observed that it is a great deal for the citizens of Taylorsville to get a \$40 million facility built on the City Hall campus with only a \$5 million contribution in cash and land. He acknowledged that the City's conservative budgeting practices will allow for cash payments with no indebtedness incurred.

8:35:58 PM Mr. Cowdell explained that Salt Lake County will essentially manage the facility, with a professional staff running events held there. He observed that the facility will be available for citizen and community rentals. He indicated that the City will be granted 16 days for its exclusive use without paying rent and some of those days may be transferred to the Taylorsville Arts Council for its use. The City may also book any additional days at reduced costs. This will allow plenty of time for City plays, concerts, and other cultural events.

8:37:20 PM Mr. Cowdell reviewed associated dates and deadlines for the PAC, as follows: (1) The City and County shall begin design and programming on the facility on or about January 2, 2017; (2) Design and programming shall be completed on or before June 30, 2018; and (3) Construction of the facility shall be completed on or before December 31, 2020. He noted that the design process is very complex and it is necessary to take the appropriate amount of time.

8:38:51 PM Mr. Cowdell relayed that there will be some joint announcements with Salt Lake County and a groundbreaking ceremony will be held. He cited signage that will be placed out front to advise the community of the project. He explained that the City will retain ownership of the land and lease it to the County for the project. He noted that there will be some permanent storage space in the PAC for City use. Mr. Cowdell referenced some shared parking agreements that will be worked out. He stated that the County will be responsible for constructing, operating, and maintaining the facility and the City will maintain the landscape.

8:40:14 PM Mr. Cowdell explained that an advisory board will be created to advise the City and County regarding the design and construction of the PAC. He relayed that the advisory board will be comprised of three members appointed by the City and three members appointed by the County. He clarified that throughout the duration of the 50 year agreement, the City may continually appoint individuals to the advisory board.

8:41:41 PM Mr. Cowdell called for any questions from the Council.

8:41:51 PM Council Member Kristie Overson offered her congratulations and specifically thanked Mayor Johnson, John Taylor, Tracy Cowdell, Wayne Harper, Scott Harrington, Mark

McGrath and Council Members for their efforts in bringing the PAC to pass. She commended the City on its vision and support of an arts center.

8:42:46 PM Mr. Cowdell acknowledged that this was a team effort and there were players who worked really hard. He thanked the Council for its leadership. He mentioned that Murray City and West Valley City were also actively pursuing the PAC in their cities, but it is exciting that it is coming to Taylorsville.

8:43:36 PM Chair Burgess stated appreciation to the Council for its foresight and thanked Administration for budgeting efforts that have eliminated the need to go into debt for this project.

### **7.3 Discussion Regarding December and January City Council Calendars**

8:44:19 PM The meeting schedule for Council Meetings in December, 2016 was discussed. It was determined that one City Council Meeting will be held in December on December 14, 2016. If an additional emergency meeting is needed, it can be added. It was confirmed that the Planning Commission will also hold a meeting on Tuesday, December 13, 2016.

### **8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)**

8:46:29 PM Council Member Kristie Overson referenced an email regarding the Western Growth Coalition and Mountain View Corridor. She inquired whether the City is represented on the Coalition. Mayor Johnson explained that the Western Growth Coalition will be condensed down to include both the mayors and those concerned with the corridor. He indicated that an upcoming meeting will be rescheduled to discuss what should be studied. It was confirmed that the Mayor represents Taylorsville on the Coalition Board.

8:48:42 PM Council Member Ernest Burgess referenced emails received and asked for direction from the Council regarding UTOPIA.

8:48:57 PM Council Member Brad Christopherson described email correspondence he conducted with Roger Timmerman, of UTOPIA, who has requested to make a presentation at a future Council Meeting. He cited questions he asked Mr. Timmerman regarding UTOPIA's proposed plans.

8:50:09 PM City Attorney Tracy Cowdell indicated that his office has been working on the draft of a new franchise agreement for the City. He suggested presenting that ordinance and holding discussion with UTOPIA on the same night when all vendors are in attendance. He explained that other vendors are operating under an old franchise agreement. Mr. Cowdell stated that he will contact vendors once the agreement is ready and schedule them on a Council agenda after

the first of the year. He suggested that he be the point of contact and said he can let UTOPIA know that they will be on a future agenda in six to eight weeks.

8:52:10 PM Mr. Cowdell cited previous understanding that UTOPIA was not something the City was interested in talking about, but acknowledged that they are persistent. He suggested now inviting them to a future meeting in six to eight weeks to make a determination once and for all. He reiterated that he will be the point of contact with UTOPIA and correspondence may be directed to him.

8:54:28 PM City Administrator John Taylor cited key points in the response Council Member Christopherson received from UTOPIA. He said there are some issues that are very concerning for the City.

8:53:48 PM Mr. Cowdell observed that there is not any urgency in meeting with UTOPIA as there has been no push from business owners or residents at this point. He said he has a strong legal opinion about UTOPIA in that the City evaluated it years ago and made a wise determination not to join. He suggested that this is a toxic situation politically and the City is nervous about them coming to Taylorsville for various reasons.

8:55:51 PM Council Member Christopherson stated for the record that he not proposing that the City get involved with membership in UTOPIA. He explained that his point in responding to Mr. Timmerman was to answer persistent emails and to lay out issues. He observed that if Taylorsville enters into an agreement with UTOPIA allowing them to cherry pick certain commercially valuable areas and nothing else, then other telecommunications companies that do business with the City are entitled to those same provisions.

8:56:52 PM Mr. Taylor said that the Council can either turn down UTOPIA's request to hear their presentation or invite them to a meeting for discussion.

8:57:31 PM Chair Ernest Burgess summarized direction that if the Council receives anymore emails from UTOPIA, they should be forwarded to Mr. Cowdell for response. Mr. Cowdell reiterated that he will reach out to advise Mr. Timmerman that the Council is asking him to be the point of contact in the future and that he will handle all telecommunications issues on the City's behalf.

8:58:27 PM Chair Burgess relayed that the Salt Lake County Animal Shelter has reached out via email. He observed that they offer some great services and asked whether the City is interested in considering participation. He acknowledged that there is a fee, but inquired if the Council is interested in hearing what they have to offer.

9:00:00 PM Council Member Dama Barbour noted that Taylorsville is currently under contract with West Valley City for animal services and is obligated on repayment for that shelter.

8:59:43 PM The potential of contracting for limited services, i.e. dealing with raccoons and skunks, was discussed. Chair Burgess observed that having Salt Lake County Animal Services render a short presentation may be worthwhile.

9:00:24 PM Mr. Cowdell indicated that Taylorsville's agreement with West Valley Animal Services was recently reviewed. He referenced the City's deadline to opt out of its contract with the West Valley City animal shelter. He said the time for buyout is approaching, but there is a big dollar amount involved in opting out before the 2018 deadline. He observed that once that critical deadline has passed, West Valley must pay Taylorsville if they opt out.

9:01:32 PM Mayor Johnson acknowledged that opting out before the deadline would cost the City a large amount so waiting another 12 months is well worth it. He suggested hearing an additional proposal after that time. He observed that he is not yet recommending that the City make a change, but other proposals should be considered after the contract deadline has passed.

9:02:06 PM Chair Burgess said his interest is just exploring options to deal with animal issues.

9:02:47 PM Council Member Brad Christopherson indicated that he met with the representative from the Salt Lake County Shelter and observed that they are offering a higher level of service than that covered in the City's contract with West Valley City. He noted that the County services are also more expensive. Mr. Taylor added that the County is a viable option.

## **9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)**

- 9.1 City Council Briefing Session – Wednesday, December 14, 2016 – 6:00 p.m.**
- 9.2 City Council Meeting – Wednesday, December 14, 2016 – 6:30 p.m.**
- 9.3 Planning Commission Meeting – Tuesday, December 13, 2016 – 7:00 p.m.**
- 9.4 City Council Briefing Session – Wednesday, January 11, 2017 – 6:00 p.m.**
- 9.5 City Council Meeting – Wednesday, January 11, 2017 – 6:30 p.m.**

It was noted that a Redevelopment Agency Board Meeting will also be held on Wednesday, January 11, 2017 immediately following the regular City Council Meeting.

## **10. CALENDAR OF UPCOMING EVENTS**

- 10.1 “Saturday with Santa” – Saturday, December 3, 2016,  
from 2:00 p.m. – 4:00 p.m., Taylorsville Heritage Center (Dairy Store)**

Council Member Kristie Overson relayed that the Arts Council is also holding a Holiday Sing Along on Friday, December 9, 2016. PIO Tiffany Janzen confirmed that she has not yet been informed of that event. Council Member Overson agreed to follow up with the Arts Council Chair to ensure that the event information is communicated.

**11. CLOSED SESSION (*Conference Room 202*)**  
*- For the Purpose(s) Described in Statute U.C.A. 52-4-205*

It was determined that no Closed Session was needed, and a Closed Session was not held.

**12. ADJOURNMENT**

9:06:02 PM Council Member Dan Armstrong **MOVED** to adjourn the City Council Meeting. Council Member Kristie Overson **SECONDED** the motion. Chairman Ernest Burgess called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Overson-yes, Barbour-yes, Armstrong-yes, Burgess-yes, and Christopherson-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:06 p.m.

  
Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 12-14-16

*Minutes Prepared by: Cheryl Peacock Cottle, City Recorder*

Public Comment by Janice Auger Rasmussen  
Given at 11-16-16 City Council Meeting

Before I talk about the agenda, I want to honor Kathy Ricci. It was early in my first term when we learned that Taylorsville qualified for CDBG monies. This was new to me, and I learned that it was new to the entire City Council, to the City Attorney, and the entire senior staff. With Federal money come Federal regulations, both complicated and baffling. I negotiated a contract with Kathy, and to say that she was good at what she did is an understatement. She helped us get established as a CDBG city and maneuvered us through using the program to design and build the Senior Center. Long story short is that she has served Taylorsville extremely well for about fifteen years. She became a dear friend and I will miss her. I express my condolences to her loved ones.

Now – shifting gears – I agree with everything Mayor Wall has said to you. I agree with \*\*\*

To further rebut the various reasons that were stated by the Mayor in his veto notice, I will say that No. 3 and No. 5 are very nearly the same. He states that there is seemingly no public support for a change and no one from the public has spoken in favor of the change. Nothing could be further from the truth. This topic has been discussed off and on by various administrations and in various citizen committees. He further states that no one from the public has spoken about this change. I am here tonight to speak about the desirability of strengthening the time, method and manner for reporting campaign contributions and expenditures. Not only do I speak in favor of a change, but I have had more than 25 people contact me directly asking me to do whatever I could to encourage passage of the ordinance which is on tonight's agenda.

Further, I have seen well over 75 posts on several social media sites favoring the ordinance. I have not heard from anyone who opposes the ordinance and I have not seen any social media comments that oppose the new ordinance. In fairness, I did see 3-4 comments that asked for more information. There are likely numerous people who support more transparency that those people I know of.

The Mayor goes on to say that the ordinance addresses a non-existent problem. You might say that a barn door is a nonexistent problem, until the horse gets out. Then, after the fact, there are plenty of interested parties who want to know how it could happen and who is responsible and what is going to be done about it. You City Council members are the ones responsible for anticipating any possible problem and you are the ones who can guaranty that the opportunity for a future problem is eliminated or greatly minimized. That's what good managers do – they see problems BEFORE they happen and take the necessary steps to diminish the chances.

Reason No. 4 states that the ordinance would require a report of contributions prior to a declaration of candidacy. In the current cycle for Taylorsville, the deadline for declaration of candidacy is June 7, 2017. However, I know that there are people who are already announcing their intentions, soliciting endorsements, holding fund raisers, and requesting contributions. The declaration of candidacy is to put the City on record for ballot and enforcement purposes. It is not the beginning of a campaign.

In the current election environment, early voting and mail-in ballots allow people to vote prior to 7 days before the actual Election Day. A campaign finance report at that time is worthless to them. Furthermore, if a campaign finance report is disclosed only 7 days before an election and any irregularities were to be found, it is too late to get the word out and far too late to recruit or encourage another suitable candidate.

At least one Council Member has expressed his support of having the report submitted on an annual basis, but after the date of the declaration of candidacy. Again, that makes it impossible for citizens to see the source and nature of the contributions in time to encourage or recruit a viable candidate, if they were to choose to do so.

To require the submission of the annual report 30 days after each yearly election makes total sense. I have 45 years experience as a public accountant, and I know about record keeping and submitting reports to regulatory agency. 30 days after the election would be the logical time for a candidate – whether he has one or lost – to have ready access to his campaign records. He can submit them and go forward until the next time a report is required.

This timing would also be consistent with the fact that the election will still be on the minds of the voting public.

As voters we have a right to a local government that is transparent and committed to comprehensive oversight and precise internal controls. The proposed agenda enhances all of those things and does so in a way that is easy to understand and creates no burden on anyone who has a competent, organized campaign.

Thank you for hearing me.

Mayor Johnson's Official Comments on Ordinance 16-13 Campaign Finance Statements

Dear Members of the Council and Citizens of Taylorsville,

- We all agree that we need more transparency in government. I support city policies that further this important goal. In fact, I ran on a promise to be an open and transparent Mayor. I feel like the City does an excellent job in this area. Unfortunately, statements made by people online, in the news media, and here tonight completely mischaracterize my position on the election ordinance.
- As I said in my veto, the existing state law is working for every city. Only Salt Lake City has chosen to make changes to the election laws. The current state law requires a lot of transparency. Our state legislators made changes to the law last session to require even more transparency. I am in support of adding an annual disclosure; the only concern was the date.
- The reason I vetoed the ordinance is the disclosure date. I do not agree with an annual disclosure date in December. I don't support the proposed disclosure requirement because of the timing. In December, candidates have not even declared their intent to run for office. I would rather have a disclosure date AFTER all candidates have declared to run. That makes the most sense to me.

- My veto was not a rejection of transparency, but it was a veto regarding the timing of disclosure.
- I was criticized on people who commented on Councilmember Barbour's Facebook and in the media for vetoing a transparency ordinance. This is an oversimplification of the issue. I sought to clarify my position on Facebook, and my posts were deleted three times. The residents who were able to read the criticisms were unable to see my statements. Is that what we do when someone has a different view or perspective? Where is the transparency? It is difficult to have my honesty and integrity called into question with the comments online. When I attempted to clarify my position, my comments were deleted when I was simply trying to get out the facts.
- I get the feeling this ordinance targets me for a golf fundraiser I had over the summer. Based on the comments in the media it is clear that is the case. As I clearly expressed on November 2, 2016, at the City Council Meeting - Anyone who has questions about my fundraising is welcome to come and review my financial disclosures anytime. We don't need to create a special ordinance; we just have to communicate. As always, my financial disclosure records are available for anyone that would like to see them. I even have copies with me here this evening for any residents and council members who want to see it.

- As I stated before, I can support an ordinance that requires an annual disclosure if it makes sense to me or we should simply leave "as-is." This ordinance didn't make sense to me, so I vetoed it. I hope to hear an amended proposal tonight from the council next and hope to get something passed that ultimately benefits the citizens, which is my number one priority.

- We have an obligation as elected officials to give serious review and consideration to every ordinance to ensure that it protects and benefits the residents of Taylorsville. We must consider all implications when changing city ordinances. I will not vote for an ordinance that creates a political advantage for any candidate or incumbent. It must be fair.

If you look around the city, good things are happening.

Thank you